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CHAPTER II

THE DEVELOPMENT OF SLAVERY

It is impossible to understand slavery in Kentucky without some knowledge of the method by which the land was settled in the latter part of the eighteenth century. Between 1782 and 1802 the seven States which had interest in western lands ceded their rights to the United States and all that territory with the exception of Kentucky and the Connecticut Reserve in Ohio was made a part of the public domain. Hence, one of the distinguishing features of the settlement of Kentucky as compared with Ohio was that in the latter State the land was sold by the Federal Government to settlers coming from all parts of the country but particularly from the northeastern section. The result of this was that few citizens of Ohio held more than 640 acres.

Kentucky had been reserved by Virginia and consequently the method of settlement was purely a matter governed by that State and was separate and apart from the system which was employed by the United States Government. Furthermore, Kentucky lands were all given out by 1790, just one year after the beginning of our national period. The federal land policy was at that time just beginning. Virginia gave out the lands in Kentucky by what is known as the patent system, and all the settlers in Kentucky held their lands by one of three different kinds of rights.

In the first place there were those who were given tracts in the new territory as a reward for military services which had been rendered in the Revolution. This had been provided for by the legislature of Virginia as early as December, 1778.¹ No land north of the Ohio River was to be granted out as a military bounty until all the "good lands" in the

¹ Henning's Statutes, Vol. X, p. 50.

Kentucky region had been exhausted. The size of these tracts was to be governed by the official status of the recipient in the late war, and the bounties finally granted by Virginia ranged all the way from one hundred to fifteen thousand acres.²

The Virginia legislature of 1779 found it necessary to establish a second method of settlement in Kentucky in response to the demands of the large number of people who were migrating to the west of the Alleghenies. Provision was made for the granting of preemption rights to new settlers and also for the introduction of a very generous system of settlement rights. These settlement and preemption rights were almost inseparable, as the latter was dependent upon the former. It was provided that four hundred acres of land would be given to every person or family who had settled in the region before the first of January, 1778.³ The word "settlement" was stated to mean either a residence of one year in the territory or the raising of a crop of corn. In addition to the above grant every man who had built only a cabin or made any improvement on the land was entitled to a preemption of one thousand acres, providing such improvements had been made prior to January 1, 1778. Preference in the grants was to be given to the early settlers and even the most famous heroes of the Revolution were not allowed to interfere with the rights of those who held a certificate of settlement.

Thus far provision had been made only for those who had settled before 1778. To them was given the best of the land. Thereafter all settlement and preemption rights ceased and the further distribution of land in Kentucky was by means of treasury warrants. A person desiring land in Kentucky would appear at one of the Virginia land offices and make an entry and pay a fee amounting to about two cents per acre. The paper he would receive would give the approximate location of the tract and the recipient would

² Hening's Statutes, Vol. XI, p. 309; Treat, P. J., *National Land System*, p. 235.

³ *Ibid.*, Vol. X, pp. 35-45.

proceed to have the land surveyed at his pleasure. Within three months after the survey had been made he was to appear at the land office and have the same recorded. A copy of this record was to be taken to the assistant register of the land office in Kentucky and there it was to remain six months in order to give prior settlers, if any, the right to prove their claims to the property. No such evidence being produced a final record of the patent was to be made and a copy given to the original grantee.⁴

An interesting example of this method of settlement is shown by the experience of Abraham Lincoln, the grandfather of President Lincoln. On March 4, 1780, soon after the establishment of the new system, he appeared at the land office in Richmond, Virginia, and was given three treasury warrants, each for four hundred acres of land in Kentucky. The first and third of these warrants were not returned for the final recording until May 16, 1787, at which time Beverly Randolph, Governor of Virginia, issued a final deed of 800 acres of land in Lincoln County, Kentucky, to Abraham Lincoln.⁵ The second treasury warrant was not returned until July 2, 1798, more than a decade after the death of Abraham Lincoln and six years after Kentucky had become a State. At that time the warrant was presented with a record of the survey by Mordecai Lincoln, the eldest son of Abraham. After some period of investigation the deed for the four hundred acres in Jefferson County was turned over to Mordecai Lincoln on April 26, 1799.⁶

The result of this method of granting land was that Kentucky was settled by a comparatively few men who rented their property to tenants. A large number of the military bounties were never settled by the original owners but were farmed by the later incoming tenant class. George Washington had been given five thousand acres and this land was actually settled by the poorer white element. In the

⁴ Winterbotham, *An Historical Geographical Commercial and Topographical View of the United States*, Vol. 3, pp. 156-157.

⁵ *Kentucky Land Grants*, Book 13, p. 59.

⁶ *Ibid.*, Book 8, p. 228.

case of the land warrant property it was true that it was usually granted to the poorer class of early settlers but as in the instance of the Lincoln family the land soon passed into the hands of the wealthier settlers either by purchase or through law suits. It is commonly stated that Daniel Boone thus became landless and was forced to migrate to Missouri.⁷

Thus we see that Kentucky was distinctly different from all the other settlements to the west of the Alleghenies in the original system of land tenure and she further inherited from her mother State of Virginia the ancient theory of a landed aristocracy which was based upon tenantry. The early inhabitants of Kentucky can be easily divided into three classes, the landed proprietors, their slaves, and the tenant class of whites. The second and third classes tended to keep alive the status of the former and led to the perpetuation of the landed aristocracy. In Kentucky, however, the laws of descent were always against primogeniture and this resulted in the division of the lands of the wealthier class with each new generation.

The institution of slavery in Kentucky, as in every other State, depended for the most part upon the existence of large plantations. The only reason Kentucky had such large estates was because of the method by which the land was given out by the mother State. Economically Kentucky was not adapted to plantation life. The greater part of the State required then, as it still does, the personal care and supervision of the owner or tenant. The original distribution of land made this impossible and there grew up a large class of landholders who seldom labored with their hands, because of the traditional system. A large number of inhabitants as early as 1805, Michaux found, were cultivating their lands themselves, but those who could do so had all the work done by Negro slaves.⁸

With passing years, while Kentucky maintained slavery,

⁷ Shaler's *Autobiography*, p. 33.

⁸ Michaux (Thwaite's Reprint), *Travels to the West of the Allegheny Mountains*, Vol. 3, p. 237.

it came to have a social system not like that in the South but one more like the typical structure of the middle nineteenth century West. There were several reasons for this. In the first place, the absence of the policy of primogeniture in time came to distribute the lands over a much larger population. In the second place, while all the land in Kentucky had been granted by the year 1790, the patrician landholding element was completely submerged by the flood of so-called plebeians who came in soon after Kentucky became a State. In 1790 there were only 61,133 white people in Kentucky, and although all the land had been granted, the white population in the next decade nearly tripled, reaching 179,871 in 1800, and this increase, at a slightly smaller rate, continued down to about 1820. Still further the nature of the soil made it more profitable for the wealthier landed class to let out their holdings to the incoming whites who did their own work and in time came to own the property. "Each year increased this element of the state at the expense of the larger properties."⁹

A study of the growth of the slave and white population of Kentucky from 1790 to 1860 is necessary to an adequate understanding of the slave problem. It will be found ad-

POPULATION FROM 1790 TO 1860 WITH RATES OF INCREASE

	White	Per Cent Increase	Free Colored	Per Cent Increase	Slave	Per Cent Increase	Total	Per Cent Increase
1790..	61,133		114		11,830		73,077	
1800..	179,871	194.22	741	550.00	40,343	241.02	220,955	202.36
1810..	324,237	80.26	1,713	131.17	80,561	99.69	406,511	83.98
1820..	434,644	34.05	2,759	61.06	126,732	57.31	564,317 ¹⁰	38.82
1830..	517,787	19.12	4,917	78.21	165,213	30.36	687,917	21.09
1840..	590,253	13.99	7,317	48.81	182,258	10.31	779,828	13.36
1850..	761,413	28.99	10,011	36.81	210,981	15.75	982,405	25.98
1860..	919,484	20.76	10,684	6.72	225,483	6.87	1,155,684 ¹¹	17.64

vantageous to deal with two sets of figures—one relating to the slave population within the State and the other with the slave increase in Kentucky as compared with the general

⁹ Shaler, N. S., *Kentucky*, p. 196.

¹⁰ Includes 182 Indians.

¹¹ Includes 33 Indians.

increase throughout the United States. It would not be of any value to compare the figures for Kentucky with those of any other State, for that would involve the discussion of local factors which are beyond the scope of this investigation.

First of all we shall take the census statistics for the State for all eight of the enumerations which were taken during the slavery era. The figures for the year 1790 were originally taken when Kentucky was a part of the State of Virginia, but they are included, since Kentucky became a State before the census was published. Furthermore they furnish an interesting light upon the growth of the slave population during the first decade of the new commonwealth. The important part of this table is in the increases, on a percentage basis, in the slave and white populations. Another viewpoint of the growth of the slave population may be seen in this little table:

RATIO OF SLAVES TO THE TOTAL POPULATION

	Per Cent		Per Cent
1790	16.1	1830	24.0
1800	18.2	1840	23.3
1810	19.18	1850	21.4
1820	22.4	1860	19.5

Here it will be seen that the proportion of slaves increased down to 1830 and then began to decline. Most authorities are agreed that this was in a large measure due to the enactment of the law of 1833 forbidding the importation of slaves

FREE NEGRO AND SLAVE POPULATION OF THE UNITED STATES, 1790 TO 1860,
WITH RATES OF INCREASE

	Free Negro	Per Cent Increase	Slaves	Per Cent Increase
1790.....	59,557		697,624	
1800.....	108,435	82.1	893,602	28.1
1810.....	186,446	71.9	1,191,362	33.3
1820.....	233,634	25.3	1,538,022	29.1
1830.....	319,599	36.8	2,009,043	30.6
1840.....	386,293	20.9	2,487,355	23.8
1850.....	434,495	12.5	3,204,313	28.8
1860.....	488,070	12.3	3,953,760	23.4

into Kentucky. But before dealing with that question it would be well to have before us the figures for the whole country at the same period.

The facts seem more significant, if we compare the slave increase in Kentucky with that of the Negroes in the country as a whole. Bearing in mind that Kentucky was a comparatively new region when it became a State and that at that time slavery was firmly established along the seaboard, we are not surprised to find that the slave increase in Kentucky was much more rapid for the first three or four decades than it was in the nation as a whole. After the year 1830 the increase in the United States, on a percentage basis, was much greater than in Kentucky. It seems that the institution started in with a boom and then eventually died down in Kentucky.

There were several reasons for this fact. A glance at the increase of whites in Kentucky for the last three decades will show that they were forging ahead while the slaves were relatively declining. This was due to a large amount of immigration of that class of white people who were not slaveholding. A second factor was the non-importation act of 1833. About the same time there came to be a conviction among a large portion of the population that slavery in Kentucky was economically unprofitable. There is abundant ground for the position that the law of 1833 was passed because of a firm conviction that there were enough slaves in the State. The only ones who could profit by any amount of importation were the slave dealers and beyond a certain point even their trade would prove unprofitable. If there was ever a single slaveholder who defended importation on the ground that more slaves were needed in Kentucky he never spoke out in public and gave his reasons for such a position.

Unfortunately there are few statistics concerning the number of slaveholders in Kentucky. Cassius M. Clay in his appeal to the people in 1845 stated that there were 31,495 owners of slaves in the State.¹² The same year the

¹² Greeley, Horace, *Writings, Speeches and Addresses of Cassius M. Clay*, p. 177.

auditor's tax books showed that there were 176,107 slaves in Kentucky.¹³ This would mean an average of 5.5 slaves for each owner. The accuracy of these figures is substantiated by those for the census of 1850 which gave 210,981 slaves held by 38,456 slaveholders or an average of 5.4 to each owner. These holders were classified according to the number of slaves held as follows:

Holders of 1 slave	9,244
Holders of over 1 and less than 5 slaves	13,284
Holders of 5 and under 10 slaves	9,579
Holders of 10 and under 20 slaves	5,022
Holders of 20 and under 50 slaves	1,198
Holders of 50 and under 100 slaves	53
Holders of 100 and under 200 slaves	5
	38,385 ¹⁴

This distribution shows that, although the average number of slaves held may have been 5.4 for each slaveholder, 21,528 or 50 per cent of them held less than five slaves each, and that 34,129 or 88 per cent held less than 20 each. Of the 132,920 free families in the State only 28 per cent held any slaves at all. This was somewhat below the average for the whole South. The total number of families holding slaves in the United States, by the census of 1850, was 347,525. With an average of 5.7 persons to each family there were about 2,000,000 persons in the relation of slave owners, or about one third of the whole white population of the slave States. In South Carolina, Alabama, Mississippi, and Louisiana about one half of the white population was thus classified. As stated above, this percentage in Kentucky was only twenty-eight.

This comparison can be more clearly shown by a table of the slave States from the census of 1850 showing the number of white people, the slaveholders, slaves, and the average number of slaves for each slaveholder.

¹³ *Collected Documents*, 1847, p. 581.

¹⁴ De Bow's *Statistical Review*, p. 95.

	Whites	Slave-holders	Per Cent of Whites	Slaves	Average per Holder
Alabama	426,514	29,295	6.8	342,844	11.6
Arkansas	162,189	5,999	3.7	47,100	7.8
Florida	47,203	3,520	7.4	39,310	11.1
Georgia	521,572	38,456	7.3	381,622	9.9
Kentucky	761,413	38,385	5.0	210,981	5.4
Louisiana	255,491	20,670	8.0	244,809	11.4
Maryland	417,943	16,040	3.8	90,368	5.6
Mississippi	295,718	23,116	7.8	309,878	13.4
Missouri	592,004	19,185	3.2	87,422	4.5
North Carolina	553,028	28,303	5.1	288,548	10.2
South Carolina	274,563	25,596	9.3	384,984	15.0
Tennessee	756,836	33,864	4.4	239,459	7.0
Texas	154,034	7,747	5.2	58,161	7.5
Virginia	894,800	55,063	6.1	472,528	8.5

Among the fourteen real slaveholding States of the Union Kentucky stood ninth in the number of slaves in 1850, but was third in the number of slave owners and with the exception of Missouri had less slaves for each owner than any other State. From the third column of this table, however, we are rather surprised to find that not only in Missouri but in Arkansas, Maryland and Tennessee the number of slaveholders was smaller in proportion to the total white population than in Kentucky.

Helper in his *Impending Crisis* made the following interesting table from the census figures for 1850. He set a perfectly arbitrary valuation of \$400 on each slave, but, if

	Value of Slaves at \$400 per Head	Value of Real and Personal Property Less the Value of Slaves
Alabama	\$137,137,600	\$ 81,066,732
Arkansas	18,840,000	21,001,025
Florida	15,724,000	7,474,734
Georgia	152,672,800	182,752,914
Kentucky	84,392,400	217,236,056
Louisiana	97,923,600	136,075,164
Maryland	36,147,200	183,070,164
Mississippi	123,951,200	105,000,000
Missouri	34,968,800	102,278,907
North Carolina	115,419,200	111,381,272
South Carolina	153,993,600	134,264,094
Tennessee	95,783,600	111,671,104
Texas	23,264,400	32,097,940
Virginia	189,011,200	202,634,638

¹⁵ Adapted from De Bow's *Statistical Review*, pp. 67, 85, 99.

one takes into account the infants and the aged unable to work, his general appraisal of the slave group is fair enough for the time and for a basis of comparison. It will be seen at a glance that after taking out the value of the slaves in all the States Kentucky was the richest southern commonwealth.

From the three preceding tables it is apparent that while the Kentucky slaveholders represented about 28 per cent of the white population of the State, on the average they held less slaves than in the other Southern States. Slave property in Kentucky was a much smaller part of the wealth of the commonwealth than in the States to the south. The relatively large number of holders is to be explained by the type of slavery which existed in the State. Many persons held a few servants in bondage and those who held many slaves were very few in number.

The question of the sale of slaves from Kentucky into the southern market presents a much more formidable problem. The chief charge that the anti-slavery people made against Kentucky was that the State regularly bred and reared slaves for the market in the lower South. What was the attitude of the Kentucky slaveholder and the people in general on the question of the domestic slave trade? There is no doubt that in the later years of slavery there were sold in the State many slaves who ultimately found their way into the southern market notwithstanding the contempt of the average Kentucky slaveholder for the slave trade. This trend of opinion will be seen as we proceed. If the sentiment was decidedly against such human commerce how did so many slaves become victims of the slave trader?

There were five general causes which led to the sale of slaves in Kentucky: (1) When they became so unruly that the master was forced to sell; (2) when their sale was necessary to settle an estate; (3) when the master was reduced to the need of the money value in preference to the labor; (4) when captured runaways were unclaimed after one year; and (5) when the profit alone was desired by unscrupulous masters. Many other reasons have been given, but a care-


ful investigation of all available material confines practically every known case of sale to one of the above classifications. Mrs. Stowe in her *Key to Uncle Tom's Cabin*¹⁶ maintained that the prevalence of the slave trade in Kentucky was due to the impoverishment of the soil beyond recovery and the decrease in the economic value of the slave to its owner. This argument is fallacious, for the very blue-grass region which held most of the slaves is today the most fertile section of the State.

As long as a slave conducted himself in accordance with the spirit of the slave code there was little chance of his owner selling him against his will. The president of the Constitutional Convention of 1849 stated that in the interior of the State, where slaves were the most numerous, very few Negroes were sold out of the State and that they were mostly those whose bad and ungovernable disposition was such that their owners could no longer control them.¹⁷ A true picture of the average master's attitude has been given us by Prof. N. S. Shaler. "What negroes there were," said he, "belonged to a good class. The greater number of them were from families which had been owned by the ancestors of their masters in Virginia. In my grandfather's household and those of his children there were some two dozen of these blacks. They were well cared for; none of them were ever sold, though there was the common threat that 'if you don't behave, you will be sold South.' One of the commonest bits of instruction my grandfather gave me was to remember that my people had in a century never bought or sold a slave except to keep families together. By that he meant that a gentleman of his station should not run any risk of appearing as a 'negro trader,' the last word of opprobrium to be slung at a man. So far as I can remember, this rule was well kept and social ostracism was likely to be visited on any one who was fairly suspected of buying or selling slaves for profit. This state of opinion was, I believe, very general among the better class of slave

¹⁶ Stowe, *Key to Uncle Tom's Cabin*, p. 143.

¹⁷ *Louisville Weekly Journal*, October 17, 1849.

owners in Kentucky. When negroes were sold it was because they were vicious and intractable. Yet there were exceptions to this high-minded humor."¹⁸

When a master had a bad Negro about the only thing that could be done for the sake of discipline was to sell him. If the owner kept the slave, the latter would corrupt his fellows and if he were set free, the master would reward where he ought to punish. The human interest which the owner took in his servant when the demands of the institution necessitated his sale is shown in the case of the Negro Frank, owned by A. Barnett, of Greensburg. Witness these words of the master in a runaway advertisement: "His transgressions impelled me, some years since to take him to New Orleans and sell him, where he became the property of a Spaniard, who branded him on each cheek thus, , which is plain to be seen when said negro is newly shaved. I went to New Orleans again last May, where, having my feelings excited by the tale Frank told me, I purchased him again."¹⁹ After the master had gone to all this trouble in the interest of the slave the latter ran away shortly after his return to Kentucky.

It was often necessary to sell slaves in order to settle an estate. It was seldom possible for a man to will his property in Negroes without some divisions becoming necessary at the hands of the executor in the just interest of the heirs. These public auctions usually took place on court day, at the courthouse door and were conducted by the master commissioner of the circuit court. The following advertisement reveals the necessity and the procedure:

SALE OF NEGROES

By virtue of a decree of the Fayette Circuit, the undersigned will, as Commissioner to carry into effect said decree, sell to the highest bidder, on the public square in the city of Lexington, on Monday the 10th of March next, being county court day, the following slaves, to wit:

¹⁸ Shaler's *Autobiography*, p. 36.

¹⁹ *Louisville Public Advertiser*, December 24, 1829.

Keiser, Carr, Sally, Bob, Susan, Sam, Sarah and Ben; belonging to the estate of Alexander Culbertson, deceased. The sale to be on a credit of three months, the purchaser to give bond with approved security. The sale to take place between the hours of 11 o'clock in the morning and 3 o'clock in the evening.

February 26, 1834

JOHN CLARK, *Commissioner*²⁰

On the same day the sheriff of the county might appear at the courthouse door in accordance with a previous announcement and auction off any unclaimed runaway that had been lodged in the county jail or hired out under his authority for a period of a year or more. The slaves thus sold were usually fugitives from the lower South who had been apprehended on their way to Ohio or Indiana. Although the utmost publicity would have been given to their capture, in accordance with the law, few of the planters of the far South seem ever to have claimed their property. The usual legal code in this matter is shown by the notice below:

NOTICE: Agreeably to an act of the General Assembly, passed January 11, 1845, I will, on the first Monday of May, 1846, before the Court House door, in the city of Louisville, sell to the highest bidder, on a credit of six months, the purchaser giving bond with good security, having the force and effect of a replevin bond, JOHN, a runaway slave, 18 or 19 years of age, 5 feet 3 or 4 inches high, a rather heavy built, supposed to be the property of Daniel McCaleb or Calip, residing on the coast some twenty miles below New Orleans.

F. S. J. RONALD *Deputy Sheriff*

Feb. 25, 1846.

for JAMES HARRISON *Sheriff Jefferson Co.*²¹

Under the three causes of sale thus far cited the blame would not be placed upon the master. In the case of the unruly Negro the owner was according to the ethics of that day not at fault. In the settlement of an estate the slaveholder was no longer a factor, for his demise alone had

²⁰ *Lexington Observer and Kentucky Reporter*, February 27, 1834.

²¹ *Louisville Weekly Journal*, March 4, 1846.

brought the sale. In the case of the runaway the owner was unknown. Mrs. Stowe probably showed the attitude of the average Kentucky master when she pictured Uncle Tom as being sold for the southern market only because of the economic necessities of the owner. When in such a position the master felt called upon to explain the necessities of the case. He was very careful not to be cast under the suspicion of public opinion as a "slave trader," which, as Shaler has said, was the "last word of opprobrium." Witness a few instances in evidence:

NEGROES FOR SALE

A yellow negro woman of fine constitution, and two children, from the country, and sold for no fault but to raise money. Will not be sold to go down the river. Her husband, a fine man, can be had also. Apply at the store of

JARVIS AND TRABUE—3rd & Main²²

The editor of the *Lexington Reporter* was very careful not to get under the ban of his constituents when he was forced to sell a farm hand and his wife.

FOR SALE

A negro man, a first rate farm hand, about 27 years of age; and a very likely woman, the wife of the man, about 22 years of age, a good house servant. They will not be sold separately, or to any person wishing to take them out of the State. Enquire at this office.²³

In 1834 Thomas J. Allen, a citizen of Louisville, desired to exchange his property in the city for 40 or 50 slaves, but he specifically stated that they were to be for his own use and that he wanted them to be "in families."²⁴ The same attitude appears in the case of a house servant for sale with the reasons for such specifically stated:

²² *Louisville Weekly Journal*, September 3, 1845.

²³ *Lexington Observer and Kentucky Reporter*, Jan. 28, 1835.

²⁴ *Ibid.*, July 9, 1834.

FOR SALE

I wish to sell a negro woman, who has been accustomed to house work. She is an excellent cook, washes and scours, and is in every respect, an active and intelligent servant. I do not require her services, which is my only reason for wishing to dispose of her.

MASLIN SMITH²⁵

The prevalence of statements giving the reasons for and the restrictions upon these sales should show beyond any reasonable doubt that public opinion would not tolerate any suspicion of a heartless traffic in slaves. These sentiments were especially prevalent in the central portion of the State. The only case known to the writer where a large number of slaves were sold without any qualification was near Harrodsburg in August, 1845; but in this instance all the man's property, including 450 acres of land, was sold at the same time.²⁶

There were, naturally, some unscrupulous masters who cared little for the fate of their slaves when sold. They placed no restrictions upon the sale, either in destination or in the break-up of family ties. We will cite only two, one for the earlier and one for the later period, noticeable chiefly for the lack of regard for Negro family life.

NEGROES FOR SALE

The subscriber has for sale a negro man and woman, each about 24 years of age, both are excellent plantation hands, together with two children. They will be sold separately or altogether.

LUIDORES LUCAS²⁷

FOR SALE

I wish to sell a negro woman and four children. The woman is 22 years old, of good character, a good cook and washer. The children are very likely, from 6 years down to 1½. I will sell them together or separately to suit purchasers.

J. T. UNDERWOOD.²⁸

²⁵ *Lexington Observer and Kentucky Reporter*, Jan. 7, 1835.

²⁶ *Louisville Weekly Journal*, August 6, 1845.

²⁷ *Bairdstown Candid Review*, June 20, 1809.

²⁸ *Louisville Weekly Journal*, May 2, 1849.

The aggregate of all these causes was sufficient to bring about a supply for the southern market. The question now arises as to how the demand was met commercially. To what extent were there slave traders in Kentucky? George Prentice, the famous editor of the *Louisville Journal*, himself a loyal exponent of slavery, early pointed out that Kentucky had an ample supply of Negroes and that they were being sent south in large numbers. He further stated that any one who wanted slaves could always purchase them by leaving an order in Louisville.²⁹ This opinion was expressed at a time when the non-importation act of 1833 had been in force for sixteen years, which meant that Kentucky was producing slaves faster than she needed them. It was only two months after this that Richard Henry Collins in an editorial in the *Maysville Eagle* gave a flagrant example of a slave trader in Kentucky who violated the spirit as well as the letter of the law. But the sentiment of the people on the slave dealer had been expressed much earlier. In 1833 a Lexington editor felt exasperated because of the appearance of a large group of slaves in the streets of the city on their way to be sold south. When another trader appeared with his Negro slaves held together with a chain he voiced his wrath in this fashion:

“A few weeks ago we gave an account of a company of men, women and children, part of them manacled, passing through the streets. Last week, a number of slaves were driven through the main street of our city, among them were a number manacled together, two abreast, all connected by, and supporting, a heavy iron chain, which extended the whole length of the line.”³⁰

About the same time a citizen of Danville sold a Negro woman to a regular slave trader. The news spread around the town rapidly and to save himself from the threats of the gathering mob the owner was compelled for his own safety to follow the slave dealer and repurchase the woman at a decided increase in price.³¹

²⁹ *Louisville Weekly Journal*, September 26, 1849.

³⁰ *Lexington Western Luminary*, June 5, 1833.

³¹ Blanchard and Rice, *Debates on Slavery*, p. 133.

It is very difficult to find out how many slave dealers there were in the State, for few of them ever came out in the open and advertised their trade. As would be expected from its size and situation Louisville was the place where the dealer could ply his trade to the best advantage. It was the central business point and the port from which most slaves from Kentucky were shipped down the Ohio and Mississippi. There is no mention in the newspapers of any dealers there before the year 1845. Thereafter there were several who advertised for any number of slaves and made no secret of the purpose of purchase. In the *Journal* for October 29, 1845, William Kelly called for all persons who had slaves to sell to see him and offered them the highest prices. He further stated that he had slaves for sale. His name does not often appear in succeeding years. During the next decade there were four regular dealers who apparently did considerable business: T. Arterburn, J. Arterburn, William F. Talbott, and Thomas Powell. Later John Mattingly came upon the scene presumably from St. Louis. In July, 1845, the Arterburn brothers began a series of advertisements which ran for several years. "We wish to purchase 100 negroes for the Southern market, for which we will pay the highest prices in cash."³² Talbott began his publicity in 1848 with these words: "The subscriber wishes to purchase 100 negroes, for which he will pay the highest cash prices. Can always be found at the Louisville Hotel."³³ Two years later he was still advertising, but had ceased placing any limit on the number to be bought and had moved his quarters to the Hotel O'Rain.³⁴ Thomas Powell also began in 1848 with this stock phraseology—"Persons having negroes for sale can find a purchaser at the highest cash prices by calling on the subscriber, on Sixth Street, between Main and Market, adjoining H. Duncan's stable."³⁵ This advertisement ran continually for a period

³² *Louisville Weekly Journal*, July 30, 1845.

³³ *Ibid.*, July 19, 1848.

³⁴ *Ibid.*, August 14, 1850.

³⁵ *Ibid.*, August 2, 1848.

of two years. John Mattingly evidently came from Missouri in the same year, and remained until 1852, when he returned to St. Louis to ply his trade.³⁶ While he was in Louisville he ran an advertisement in the *Journal* after this fashion: "The undersigned wishes to purchase 100 negroes both men and women, for which he will pay the highest cash prices. Those who have negroes for sale would do well to call on him at the Galt House."³⁷

It is noticeable that none of the Louisville directories for this period mention any slave dealers. This failure may have been due merely to the fact that there were so few traders in the city and that they were more or less transient residents. On the other hand, public opinion apparently never acknowledged that there were any real citizens of the city engaged in the slave trade. Beginning in 1840 the *Louisville Journal* published a weekly paper called *Louisville Prices Current*. In 1855 this was succeeded by the *Commercial Review and Louisville Prices Current*, which was published by the Louisville Chamber of Commerce. These two papers devoted themselves exclusively to the commercial transactions of the city and gave price quotations weekly for every conceivable kind of goods in the market together with the volume of sales. Strange to say, there has not been found a single issue of either of these papers, which mentions the selling price of slaves or any transaction in Negroes. If there was a trade in slaves which was regarded purely as a commercial enterprise, as some would have us think, then it is very hard to understand why these splendid trade papers did not contain any account of the business.

There were some Louisville business men who bought and sold slaves as only one of the branches of their commercial activities. This would account to some extent for the failure to list traders in the local directories for it is noticeable that such men never called themselves slave dealers. As early as the year 1825 John Stickney estab-

³⁶ *St. Louis Daily Times*, October 14, 1852.

³⁷ *Louisville Daily Journal*, November 23, 1848.

lished the *Louisville Intelligence Office* on Main Street, which was a sort of labor and real estate exchange. He advertised that he sold books; had money to loan; houses for rent and sale; horses and Negroes for sale and hire; carriages for sale; conducted a labor exchange, and recommended the best boarding houses.³⁸ A year later J. C. Gentry opened the "Western Horse Market" at the corner of Market and Fourth Streets. He advertised that he conducted a livery stable, and also sold on commission, at public or private sale, horses, carriages, cattle, wagons and slaves; and that he would conduct an auction on Wednesdays and Saturdays.³⁹ A similar case was that of A. C. Scott, who in 1854 opened a real estate and land office but who stated in the press that he not only bought and sold land and rented houses but that he would sell and hire slaves.⁴⁰ Consequently Scott was listed as a real estate and land agent in the local directories. It is impossible to determine how many of these occasional slave dealers there were, but in so far as available material shows these three were the only ones to announce their trade publicly.

It would appear from all the evidence at hand that while Kentucky furnished many slaves for the southern market there was no general internal slave trade, as a commercial enterprise. There were in Louisville, however, a few heartless business men who took advantage of the decreasing value of slave labor in Kentucky and the rising prices of slaves in the far South. In this respect, Kentucky became a field of supply for the slave markets of the lower South.

Unfortunately there are no statistics available by which the number of slaves sent south can be computed. The most comprehensive anti-slavery publication on the internal slave trade was unable to decide with certainty what proportion of slaves for the southern market was furnished by each of the so-called breeding States. The author of *Slavery and Internal Slave Trade in the United States*

³⁸ *Louisville Public Advertiser*, November 2, 1825.

³⁹ *Ibid.*, September 13, 1826.

⁴⁰ *Louisville Daily Times*, March 1, 1854.

estimated that 80,000 slaves were annually exported from seven States to the South. He gave no figures that were not his own estimates. He ranked the seven States, however, in the order of the number of slaves which he thought they furnished as follows: Virginia, Maryland, North Carolina, Kentucky, Tennessee, Missouri and Delaware.⁴¹

Martin estimates that Kentucky sent on the average about 5,000 slaves to the southern market.⁴² Again this must be considered purely conjectural. It is reasonable to suppose that during the last two decades of the slavery era there were few slaves imported into Kentucky that were intended for the purely Kentucky market. What Negroes came into Kentucky were for the most part on their way to the more profitable southern trade. The average death rate among the slaves during this period was 1.9 per one hundred and the birth rate was 3.2, or an excess of births over deaths of 1.1 per hundred. This would make the annual natural increase among the slave population about 2,000 per year. Comparing this with the growth of the slave group from 1840 to 1850 we find that the increase of slaves was much more. But it was during the next decade that the slave trade reached its height and here we find that the slave population increased 14,502, whereas the natural increase during that period should have been 23,190. Hence the slaves failed to reach even their natural increase by a deficiency of 8,688. Taken literally that would mean that during the ten-year period that number of slaves were exported from Kentucky. But it is reasonable to suppose that many more than that were sent to the South. With the exception of the last decade, however, the slave population of Kentucky increased faster than the mere natural increase of the Negroes. The law would not permit of any importation of slaves intended for Kentucky, so the export of purely Kentucky slaves appears never to have been prominent except during the decade from 1850 to 1860.

The selling price of slaves naturally presents itself at

⁴¹ *Slavery and Internal Slave Trade in the U. S.*, p. 12.

⁴² Martin, Asa E., *Anti-Slavery Movement in Kentucky*, p. 89.

this point. In Kentucky these records are very few because the tax books in practically all the counties of the State have been destroyed. We have no accurate statements extant before about the year 1855. The prices which we have obtained are quotations from the auction of slaves of estates to settle the interests of the heirs. On January court day, in 1855, there were sold in the settlement of estates in Bourbon, Fayette, Clark and Franklin Counties Negro men who brought \$1,260, \$1,175, \$1,070, \$1,378, \$1,295, \$1,015 and \$1,505.⁴³ The county commissioner of Harrison auctioned the slaves of the deceased George Kirkpatrick with the following prices received:

America	40 years	of age	} all for	\$1,600
Peggy	6 years	of age		
Eliza	4 years	of age		
Brown	6 months	of age		
Peter	23 years	of age		\$1,290
Emanuel	24 years	of age		750
Tom	16 years	of age		1,015
Ann	14 years	of age		775
Emma	12 years	of age		865
Sarah	26 years	of age		350 ⁴⁴

The county commissioner at Henderson received the following prices for slaves in the settlement of several estates on January 28, 1858:⁴⁵

Ruth	33 years	of age	\$ 800
Willis	59 years	of age	475
George	35 years	of age	1,200
Delphy	80 years	of age	75
Leila	65 years	of age	282
Clarissa	24 years	of age	1,131
Andrew	19 years	of age	1,500
Susan	17 years	of age	470
Jennie	17 years	of age	1,100
Cupid	85 years	of age	74
Eliza	32 years	of age	500
Bell	41 years	of age	1,000

⁴³ Collins, *History of Kentucky*, Vol. 1, p. 74.

⁴⁴ *Cynthiana News*, January 10, 1858.

⁴⁵ *Henderson Weekly Commercial*, January 29, 1858.

This sale is most significant for the cases of "Delphy," 80 years old, and "Cupid," 85 years of age. It is difficult to account for such a sale in any discussion of the slave trade, but it does show the humanitarian side of Kentucky slavery. Negroes at such an age had no economic value even if they were given away, because the expense of their maintenance was more than the value of any possible labor they could perform.

At Georgetown in December of the same year we have this record:⁴⁶

Griffin	45 years of age	\$ 640
Mary	14 years of age	1,060
Ellen	12 years of age	800
Elizabeth	11 years of age	406 (one-eyed)
Sanford	9 years of age	700
Arabel	10 years of age	690
Adam	41 years of age	700
Bettie	3 years of age	260
Aaron	28 years of age	1,191
Sam	25 years of age	1,350

The auction of the slaves of the estate of Spencer C. Graves at Lexington in April, 1859, brought these prices:⁴⁷

John	18 years of age	\$1,500
Dick	21 years of age	1,400
Jerry	38 years of age	700
Major	50 years of age	480
Charles	31 years of age	1,155
John Jr.	18 years of age	1,140
Billy	31 years of age	1,100
Isabella	40 years, with 3 children, ages 11, 5 and 2	1,610
Rebecca	30 years, with 3 children, ages 11, 6 and 4	2,410
Lucy	18 years of age, with infant..	1,280
Davidella	31 years of age	1,220
Mary Ann	31 years of age	835
Patience	18 years of age	1,350
Catharine	15 years of age	1,130

Such a series of prices would show beyond a reasonable

⁴⁶ *Georgetown Gazette*, December 23, 1858.

⁴⁷ *Weekly Free South* (Newport), April 29, 1859.

doubt that the value of slaves was determined entirely by the increasing demand for slaves in the lower South and was in no way an indication of the value of slave labor within Kentucky. As was pointed out earlier in this chapter, the labor value of an agricultural slave in the State steadily decreased after about the year 1830.

Was slavery profitable to the Kentucky planters? In the many debates on the slavery question which took place after 1830 no one ever stood out in the affirmative. The only ones to discuss the economic side of the issue were those in opposition to slavery. As has often been said of the Kentucky situation, "the program was to use negroes to raise corn to feed hogs to feed negroes, who raised more corn to feed more hogs." Tobacco was the largest crop raised in the State and corn came next. Neither proved to be peculiarly adapted to slave labor. There were few large plantations in the State where it could be made advantageous. What Negro work there was to be done was never confined to any particular kind of cultivation but was used in the manner of farm labor today in the State. Squire Turner, of Madison County, in the Constitutional Convention of 1849 made a careful summary of the existing economic problems of slavery. "There are," said he, "about \$61,000,000 worth of slave property in the state which produces less than three per cent profit on the capital invested, or about half as much as the moneyed capital would yield. There are about 200,000 slaves in Kentucky. Of these about seventy-five per cent are superannuated, sick, women in unfit condition for labor, and infants unable to work, who yield no profit. Show me a man that has forty or fifty slaves on his estate, and if there are ten out of that number who are available and valuable, it is as much as you can expect. But my calculation allows you to have seventy-five per cent who are barely able to maintain themselves, to pay for their own clothing, fuel, house room and doctor's bills. Is there any gentleman who has a large number of slaves, who will say that they are any more profitable than that?"⁴⁸

⁴⁸ Debates of the Convention of 1849, p. 73.

No one in the convention answered the last question put by Squire Turner. But regardless of such an economic condition, not a single piece of remedial legislation was passed and the members of the Constitutional Convention added a provision to the Bill of Rights which rooted the slavery system firmer than ever. That most admirable of all southern characters, and at the same time the most difficult to understand, the Kentucky master, took little heed of a question of dollars and cents when it interfered with his moral and humanitarian sentiments. He had inherited, in most cases, the slaves that were his. He knew well enough that the system did not pay but supposing that he should turn his slaves loose, what would become of them? What could they do for a living? The experience of later years proved that his apparently obstinate temperament was mixed with a good deal of wisdom, for once the slaves were set free their status was not to any great extent ameliorated if they went abroad from the plantation where they had lived from childhood.

There was a certain amount of profit in the labor of able-bodied slaves but they only represented a fraction of the Negroes whom the master was called upon to support. The law compelled the owner to maintain his old and helpless slaves and this represented the spirit of the large majority of the slaveholders. Those were rare cases indeed when an owner was haled into court for failing to provide for an infirm member of his slave household. The true Kentuckian never begrudged the expense that such support incurred. One of the ablest lawyers of the State, Benjamin Hardin, made the statement that "if it were not for supporting my slaves, I would never go near a courthouse."⁴⁹

Rev. Stuart Robinson, speaking before the Kentucky Colonization Society in 1849, gave another viewpoint of the economic value of the slave. "The increase of slaves in Kentucky," said he, "has hardly reached three thousand annually for eighteen years past. The increase since 1840 has been 27,653—the increase for the year just closed 2,921.

⁴⁹ Little, L. P., *Ben Hardin, his Times and Contemporaries*, p. 544.

In twenty-six counties, embracing one fourth of the slave population—some of them the largest slave-holding counties—there has been an actual decrease in the last year of 881 slaves. In twelve other counties the increase has been only twenty-three. There are ten counties in the State, which contain one third of all the slave population of Kentucky; in these ten counties, the increase of slaves for five years past has been 2,728—an increase of less than one per cent per annum. Nor is this slow increase of slavery to be attributed to any stagnation or decline of public prosperity, for in the meantime the state has been growing in population and wealth as heretofore. During these five years the taxable property of the Commonwealth has increased in value more than seventy-six millions. Now this decrease of slaves while the other property of the commonwealth is increasing must arise from one of three causes—and in either case the inference is the same as to the fate of slavery in Kentucky. (1) Is it because the climate is unhealthy to the African? If so then African labor cannot continue. (2) Is it owing to emigration? Then something is wrong in the system of labor, that causes the emigration of our people—for no finer soil—no more desirable residence can be found in the world. (3) Or is it owing to the domestic slave trade? Then for some reason slave labor is less profitable here than elsewhere, and must soon be given up.”⁵⁰

These figures quoted by the speaker on the slave population for year by year are available in the auditor's tax books for the years 1840 to 1859.⁵¹

1840	.....	164,817	1847	.....	189,549	1854	.....	200,181
1841	.....	168,853	1848	.....	192,470	1855	.....	202,790
1842	.....	171,035	1849	.....	195,110	1856	.....	201,160
1843	.....	176,107	1850	.....	196,847	1857	.....	201,590
1844	.....	178,837	1851	.....	196,336	1858	.....	207,559
1845	.....	182,742	1852	.....	200,867	1859	.....	208,625
1846	.....	185,582	1853	.....	200,015			

⁵⁰ *Presbyterian Herald*, April 12, 1849.

⁵¹ *Collected Documents*, 1847, pp. 581-583; 1853, pp. 401-403; 1860, pp. 241-246.

The very small growth shown here would barely account for the natural increase among the slaves by virtue of the high birth rate. The mortality rates were about the same for slaves as for whites. The relative decline was undoubtedly due to the rising prices for slaves which were sent to the South and the consequent decreasing value of a slave's labor to the Kentuckian. He knew beyond a doubt that the time would eventually come when he would have to part with his slave and that portion of the holders who were not averse to selling their chattels did so during this period.